

10/544896

JC20 Rec'd PCT/PTO 08 AUG 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTORNEY DOCKET NO. 016912-0212

Applicant: Masahiro AOKI et al.  
Title: VIRUS THERAPEUTIC DRUG  
Appl. No.: Unassigned  
Filing Date: 08/08/2005  
Examiner: Unassigned  
Art Unit: Unassigned

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

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**TIMING OF THE DISCLOSURE**

The listed documents are being submitted in compliance with 37 CFR §1.97(b), within three (3) months of the date of entry of the national stage as set forth in 37 CFR §1.491.

**RELEVANCE OF EACH DOCUMENT**

Any document listed on the attached PTO/SB/08 was cited as being relevant during the prosecution of the corresponding International application. A copy of the International Search Report setting forth the portion of each reference considered relevant by the examiner is attached. A copy of the document is not being provided since copies should have been provided directly by WIPO under an exchange program between the PTO, the EPO and the JPO.

Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

August 8, 2005


Date

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449B/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				<b>Complete if Known</b>	
(use as many sheets as necessary)				Application Number	Unassigned <b>10/544896</b>
				Filing Date	08/08/2005
				First Named Inventor	Masahiro AOKI et al.
				Group Art Unit	Unassigned
				Examiner Name	Unassigned
Sheet 1 of 1				Attorney Docket Number	016912-0212

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	A1	EP	1 002 793	A1	TAKARA SHUZO CO., LTD	05/24/2000		
	A2	EP	0 526 936	A2	MERCK & CO., INC.	02/10/1993		
	A3	WO	94/18157	A1	MERCK & CO., INC.	08/18/2004		
	A4	WO	93/24660	A1	REGENTS OF THE UNIV...	12/09/2003		

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>6</sup>	
	A5	BORDIER et al., "A Prenylation Inhibitor Prevent Production of Infectious Hapatitis Delta Virus Particle," Journal of Virology, Vol. 76, No. 20, 2002, pgs. 10465-10472.		
	A6	ESUMI et al., "Synthesis of Viridifungin A Trimethyl Ester and Determination of the Absolute Structure of Viridifungin A," Tetrahedron Letters, Vol. 39, No. 8, 1998, pgs. 877-880.		

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

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